

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6957**

**BILL NUMBER: HB 1120**

**NOTE PREPARED: Jan 2, 2012**

**BILL AMENDED:**

**SUBJECT:** Arrests or Citations at Traffic Stops.

**FIRST AUTHOR:** Rep. Morris

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED: X GENERAL  
DEDICATED  
FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** *Arrest or Issuance of Traffic Citations-* The bill provides that a law enforcement officer may not arrest or issue a traffic information and summons to a person for a violation of a law regulating the use and operation of a motor vehicle on an Indiana highway or an ordinance of a city or town regulating the use and operation of a motor vehicle on an Indiana highway unless, at the time of the arrest or issuance, the officer: (1) is wearing a distinctive uniform and a badge of authority; (2) immediately identifies himself or herself as an officer using an authorized departmental identification card and a badge of authority; or (3) is operating a motor vehicle that is equipped with at least one signal lamp equipped with a red beam and a blue beam and a siren.

*Verify Identity of Law Enforcement Officer-* The bill provides that, upon request, a law enforcement officer must allow a person who is the subject of such an: (1) arrest; or (2) issuance of a traffic information and summons; to contact a law enforcement agency or emergency dispatcher to verify the identity of the law enforcement officer.

*Exception-* The bill makes an exception to these requirements for a law enforcement officer who is: (1) making an arrest; or (2) conducting a search or seizure of a person or property; in connection with the commission of a felony or misdemeanor that is not related to the use or operation of a motor vehicle.

**Effective Date:** July 1, 2012.

**Explanation of State Expenditures:** *Arrest or Issuance of Traffic Citations-* With respect to Indiana State Police (ISP) law enforcement vehicles, this provision would not have a fiscal impact on the ISP. According to the ISP, all ISP marked, unmarked, investigative, and undercover vehicles are equipped with a police

radio, red/blue lights, and siren.

Background Information- The Bureau of Motor Vehicles reports the following number of traffic citations from 2000-2010.

Traffic Citations Issued.		
Year	Traffic Citations Issued	Annual Percent Change of Citations Issued
2000	795,687	21.2%
2001	822,724	3.4%
2002	826,381	0.4%
2003	907,723	8.7%
2004	835,112	-8.0%
2005	789,062	-5.5%
2006	708,414	-10.2%
2007	882,669	24.6%
2008	908,016	2.9%
2009	715,228	-21.2%
2010	681,400	-4.7%

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** *Arrest or Issuance of Traffic Citations-* The provision would have an unknown effect on the total number of citations issued by local law enforcement officers during a year. An unknown number of law enforcement vehicles may need to be refitted with the proper lights or sirens as required by the bill. The total expenditure necessary is unknown and would depend on local law enforcement agencies' installation needs plus available funding.

**Explanation of Local Revenues:**

**State Agencies Affected:** ISP.

**Local Agencies Affected:** Local law enforcement agencies.

**Information Sources:** Bureau of Motor Vehicles; Indiana State Police.

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